UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,618	12/10/2001	Akihiko Fujiwara	036741-0108	1127

22428 7590 04/28/2006		EXAMINER	
FOLEY AND LARDNER LLP		LETT, THOMAS J	
SUITE 500			
3000 K STREET NW		ART UNIT	PAPER NUMBER
WASHINGTON, DC 20007		2625	

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *16 February 2006*.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-14* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-14* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *27 March 2002* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 16 December 2005 have been fully considered but

they are not persuasive. Applicant argues that the prior art of Salgado et al (USPN

5,872,569) does not succeeds a schedule to a second device after a portion has

already been executed. Examiner maintains that Salgado et al scans a document

(input-related job) and succeeds a schedule by using a job ticket to continue other

actions (output-related at another device different from the scanner) according to a job

ticket. The scanning of a document is different from the outputting (email, printing) of

the document.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of
> making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the
> art to which it pertains, or with which it is most nearly connected, to make and use the same and shall
> set forth the best mode contemplated by the inventor of carrying out his invention.

2.   Claims 1-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to

comply with the written description requirement. The claims contains subject matter

which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed,

had possession of the claimed invention. A job synthesizing means is claimed wherein

the synthesis of jobs is not clearly conveyed. The job synthesizing means generates a

synthetic job that includes an already executed job (input-related candidate job), and a

job (output-related candidate job) that hasn't been created. It is not understood how a

job that hasn't been created can be included in the synthesis. If the job has not been

executed, Examiner does not understand how it can be included in the synthesis. If the

two jobs are stored and associated with a document and expressed as a synthetic job

as indicated on p. 16, lines 9-14, then the synthetic job "B" has already been executed.

Further, it is not understood how an output-related job (i.e., print-output) is stored.

3.   Claims 1-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to

comply with the written description requirement. The claims contains subject matter

which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed,

had possession of the claimed invention. Both an input-related candidate job and an

output-related candidate job are claimed. It is not understood if these jobs execute

processing themselves, or are executed by the job management means or processor.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Salgado

et al (USPN 5,872,569).

With respect to claim 1, as best understood by the Examiner, Salgado et al disclose a job executing system in which, with respect to a same processing object, designated jobs are executed in a sequence, comprising:

job management means (user interface 142, see Fig. 6, and see displays of Figs. 12 and 13 with controls) for managing an input-related candidate job (a scanned document at scanner 18 using scanner toolbar 304, col. 9, line 26) which executes chiefly input processing, and an output-related candidate job (printing document at printer 20 using toolbar 284, col. 9, line 26) which executes chiefly output processing; and

job synthesizing means (digital filing using storage device toolbar 306, col. 22, lines 9-14) for generating, according to a user's operation, a synthetic job constituted by an input-related candidate job which has been already executed by a first device (scanned documents by scanner 304), and an output-related candidate job which will be executed hereafter (printed or emailed documents, see Fig. 13); and

job schedule succeeding means (metaphorical template for workflow of a job ticket, col. 14, lines 10-21) for succeeding, only after the first device has executed the input-related candidate job, a schedule of the synthetic job generated from the first device (scanner 304) to a second device (printer 284 or email 286) when the second device which executes the output-related candidate job and the first device which has executed the input-related candidate job are different at the synthetic job (digital filing 306).

With respect to claim 2, Salgado et al disclose a job executing system according to claim 1, in which a graphical user interface environment is provided (user interface 142, see Fig. 6, and see displays of Figs. 12 and 13), wherein there is provided screen displaying means for displaying, on a screen, interactive figure elements (elements 280, 282, 284, 286, 304) each indicative of its associated candidate job; and

according to user's operations to some of the interactive figure elements, their associated candidate jobs are synthesized so as to obtain a synthetic job (element 306).

With respect to claim 3, Salgado et al disclose a job executing system according to claim 2, wherein

when the number of the input-related candidate jobs is two or more, the input-related candidate jobs are associated with their respective input means (several documents presented to scanner 304 would represent two or more associated with an input); and

when the number of the output-related candidate jobs is two or more, the output-related candidate jobs are associated with their respective output means (several documents controlled to be emailed or printed would represent two or more associated with an output).

With respect to claim 4, Salgado et al disclose a job executing system according to claim 2, wherein there is provided standard setting information management means for accumulating and managing standard output setting information indicative of a standard attribute of the output-related candidate job (if an automatic implementation is desired, the process proceeds to step 224 (FIG. 10) where the user develops a

template in which at least one initiating metaphor element and one device or storage

metaphor are provided, col. 18, lines 57-61); and

according to a user's operation, the synthetic job thus obtained is executed while

using the standard output setting information (if an automatic implementation is desired,

the process proceeds to step 224 (FIG. 10) where the user develops a template in

which at least one initiating metaphor element and one device or storage metaphor are

provided, col. 18, lines 57-61).

With respect to claim 5, Salgado et al disclose a job executing system according

to claim 3, in which, by means of user's operations to interactive figure elements,

selection of an interactive figure element indicative of an input-related candidate job and

selection of an interactive figure element indicative of an output-related candidate job

are sequentially conducted to generate a synthetic job (if an automatic implementation

is desired, the process proceeds to step 224 (FIG. 10) where the user develops a

template in which at least one initiating metaphor element and one device or storage

metaphor are provided, col. 18, lines 57-61), wherein there is provided synthesis

possibility judging means for judging, on the basis of a relationship between a

characteristic of the input means thus associated and a characteristic of the output

means thus associated, whether or not a synthesis can be conducted between an input-

related or output-related job which has been already selected, and an output-related or

input-related job which is intended to be selected by a user's operation (if an automatic

implementation is desired, the process proceeds to step 224 (FIG. 10) where the user

develops a template in which at least one initiating metaphor element and one device or

storage metaphor are provided, col. 18, lines 57-61); and

when the synthesis possibility judging means judges that the synthesis cannot be

conducted, a change is made to a display of the interactive figure element indicative of

the output-related or input-related candidate job which is intended to be selected (in Fig.

11, processing the workflow involves querying and obtaining status information of

devices in order to determine the ability to process jobs and the ability to substitute

another device, col. 14, lines 19-21 and see Fig.11).

With respect to claim 6, Salgado et al disclose a job executing system according

to claim 3, in which, by means of user's operations to interactive figure elements,

selection of an interactive figure element indicative of an input-related candidate job and

selection of an interactive figure element indicative of an output-related candidate job

are sequentially conducted to generate a synthetic job, wherein there is provided a

limitation content examining means for examining, on the basis of a relationship

between a characteristic of the input means thus associated and a characteristic of the

output means thus associated, a content of a limitation imposed when a synthesis is

conducted between an input-related or output-related candidate job which has been

already selected, and an output-related or input-related candidate job which is intended

to be selected by a user's operation (in Fig. 11, processing the workflow involves

querying and obtaining status information of devices, and modifying attributes of jobs

(S256,S258) in order to determine the ability to process jobs and the ability to substitute

another device, col. 14, lines 19-21 and see Fig.11); and

according to an examination result made by the limitation content examining means, a change is made to a display of the interactive figure element indicative of the output-related or input-related candidate job which is intended to be selected (the ability to substitute another device in the device template, col. 14, lines 19-21 and see Fig.11).

With respect to claim 7, Salgado et al disclose a job executing system according to claim 3, in which, by means of user's operations to interactive figure elements, selection of an interactive figure element indicative of an input-related candidate job (a scanned document at scanner 18 using scanner toolbar 304, col. 9, line 26) and selection of an interactive figure element indicative of an output-related candidate job (printing document at printer 20 using toolbar 284, col. 9, line 26) are sequentially conducted to generate a synthetic job (the scanned file and email selection are associated with a digital filing job in Fig. 13), wherein based on an operating state of the output means, a change is made a display of the interactive figure element indicative of the output-related or input-related candidate job, which is intended to be selected by a user's operation (the ability to substitute another device in the device template, col. 14, lines 19-21 and see Fig.11).

Claim 8, a method, is rejected for the same reason as claim 1.

Claim 9, a method, is rejected for the same reason as claim 2.

Claim 10, a method, is rejected for the same reason as claim 3.

Claim 11, a method, is rejected for the same reason as claim 4.

Claim 12, a method, is rejected for the same reason as claim 5.

Claim 13, a method, is rejected for the same reason as claim 6.

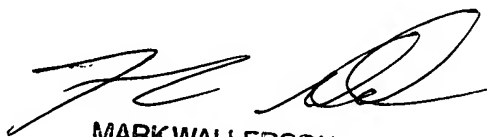Claim 14, a method, is rejected for the same reason as claim 7.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thomas J. Lett whose telephone number is (571) 272-

7464. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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Business Center (EBC) at 866-217-9197 (toll-free).

TJL

MARK WALLERSON
PRIMARY EXAMINER